

### **REMARKS**

Claims 1-21, 24, 25, 27, 29, and 30 are pending in the application. Independent claims 1, 8, and 24 have been amended by the present amendment. The amendments are made to clarify the recitations of the original claims and raise no new issues. Claims 22, 23, 26, and 28 have been canceled without prejudice. The amendments are fully supported by the application as originally filed (see, e.g., specification at page 39, line 1 to page 42, line 7).

As amended, independent claims 1, 8, and 24 recite that the generated transmission data and the reception result request are transmitted simultaneously to the receiving-end machine. See, e.g., specification at page 39, line 1 to page 42, line 7, where it is described that an email message is generated, which incorporates both a reception result request and image data in the same email.

Claims 1-4 and 7-13 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent 6,775,705 to Maeda. Claim 5 was rejected under 35 USC 103(a) as being unpatentable over Maeda. Claim 6 was rejected under 35 USC 103(a) as being unpatentable over Maeda in view of U.S. Patent 7,000,157 to Okamoto et al. Claims 14-23 and 25-28 were rejected under 35 USC 103(a) as being unpatentable over U.S. Patent Application Publication US 2003/0020961 to Tanimoto in view of Maeda. Claim 24 was rejected under 35 USC 103(a) as being unpatentable over Maeda in view of Tanimoto. These rejections are respectfully traversed.

Regarding the rejection of independent claims 1 and 8 over Maeda, the Maeda reference does not teach or suggest a data transmission device or method in which generated transmission data and a reception result request are transmitted simultaneously to a receiving-end machine.

As described in the Amendment filed on July 18, 2007, in Maeda, "before an original is read," a transmitting-side apparatus 1 transmits a "capability request" in order to determine the "reception capability" of a receiving-side apparatus 2, and the receiving-side apparatus 2 transmits a capability response to the transmitting-side apparatus 1 (see column 5, lines 49-61 of

Maeda). The transmitting-side apparatus 1 reads the original and transmits image data to the receiving-side apparatus 2; in response, the receiving-side apparatus 2 transmits a confirmation message to the transmitting-side apparatus 1 (see column 6, lines 1-15).

In other words, the "capability request" is sent in Maeda by the transmitting-side apparatus 1 in advance of transmitting transmission data or image data to the receiving-side apparatus 2.

Therefore, the Maeda reference does not teach or suggest transmitting transmission data "and the reception result request simultaneously to the receiving-end machine," as recited in independent claims 1, 8, and 24.

Further, regarding the rejection of independent claim 24 over the proposed combination of Maeda in view of Tanimoto, the proposed combination does not teach or suggest a communication system in which generated transmission data and a reception result request are transmitted **simultaneously** to a receiving-end machine.

As described in the Amendment filed on July 18, 2007, in Tanimoto, a first email is sent from the transmitting machine to the receiving machine merely to obtain suitable data formats readable on the receiving machine, but no image data is sent with the first email. Instead, the image data is sent with a third email.

In other words, in both the Maeda and Tanimoto references, multiple emails are required to determine capabilities of a receiving end machine, and subsequently to transmit image information.

Even if Tanimoto was somehow combined with Maeda, the proposed combination would not teach or suggest transmitting generated transmission data and a reception result request **simultaneously** to a receiving-end machine, for at least the reasons discussed above.

It is believed that the claims are in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

/Steven M. Jensen/

Date: November 5, 2007

---

Steven M. Jensen  
(Reg. No. 42,693)  
Edwards Angell Palmer & Dodge  
P.O. Box 55874  
Boston, MA 02205

Phone: (617) 239-0100

Customer No. 21874